

“(3) Section 506 shall not apply to a claim described in subsection (a)(5) under circumstances other than those described in section 707(b)(8)—

“(A) if—

“(i) the creditor has a purchase money security interest securing the debt that is the subject of the claim;

“(ii) the debt was incurred during the 910-day period preceding the date on which the petition was filed; and

“(iii) the collateral for that debt consists of a motor vehicle (as defined in section 30102 of title 49) acquired for the personal use of the debtor; or

“(B) if—

“(i) the debt was incurred during the 1-year period preceding the date on which the petition was filed; and

“(ii) collateral for the debt that is the subject of the claim consists of anything of value other than the collateral described in subparagraph (A)(iii).”

On page 259, between lines 7 and 8, insert the following:

SEC. 605. GAO STUDY OF CAUSES OF BANKRUPTCY FOR MEMBERS OF THE UNIFORMED SERVICES.

The Comptroller General of the United States shall—

(1) conduct a study of the frequency and causes of bankruptcy by members of the uniformed services; and

(2) provide recommendations to Congress on how to protect members of the uniformed services, and their families, who file for bankruptcy.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON RULES AND ADMINISTRATION

Mr. LOTT. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Tuesday, March 8, 2004, at 9:30 a.m., to examine and discuss S. 271, a bill which reforms the regulatory and reporting structure of organizations registered under Section 527 of the Internal Revenue Code.

For further information regarding this hearing, please contact Susan Wells at the Rules and Administration Committee on 224-6352.

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. CRAIG. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Public Lands and Forests of the Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, March 8, 2004, at 10 a.m. in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on S. 179, to provide for the exchange of land within the Sierra National Forest, California, and for other purposes; S. 213, to direct the Secretary of the Interior to convey certain Federal land to Rio Arriba County, New Mexico; S. 267, to reauthorize the Secure Rural Schools and Community Self-Determination Act of 2000, and for other purposes; and S. 305, to authorize the Secretary of the Interior to recruit volunteers to assist with or facilitate the activities of various

agencies and offices of the Department of the Interior.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150.

For further information, please contact Frank Gladics 202-224-2878 or Amy Millet at 202-224-8276.

PRIVILEGE OF THE FLOOR

Mr. LEAHY. Mr. President, I ask, on behalf of Senator BAUCUS, unanimous consent that Brian Townsend, a detailee from the IRS, be permitted privileges of the floor during consideration of S. 256, including all votes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXTENSION LIVING WELL WEEK

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to consideration of S. Res. 67, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 67) designating the second week of March 2005 as “Extension Living Well Week”.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 67) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 67

Whereas the health and well-being of the family is crucial to the functioning of the Nation and to providing adults and youth with the necessary skills and knowledge to help them achieve the best quality of life possible;

Whereas psychologically, socially, and emotionally strong families provide strength for future generations;

Whereas Extension is a nationwide educational network through the land-grant universities, funded cooperatively through the Department of Agriculture, State governments, and local county, city, and parish governments;

Whereas Extension provides non-biased, research-based information through informal education to help adults, youth, families, farms, businesses, and communities;

Whereas Extension education programs are developed at the grassroots level to meet local needs, and are available in nearly every

county and parish in the United States and its territories, from the biggest to the smallest;

Whereas information offered by Extension is provided by scientists and researchers at land-grant universities, and is made practical and relevant by Extension educators working at the local level;

Whereas Extension Family and Consumer Sciences educators are advocates for education for families so that the families might gain skills for a full and productive life; and

Whereas the designation of the second week of March 2005 as “Extension Living Well Week” is a fitting tribute to the National Extension Association for Family and Consumer Sciences professionals who provide education that is critical to the quality of life of adults, youth, individuals, and families, including food preparation, food safety, nutrition, financial management, healthy lifestyles, home and work environment and safety, relationship and parenting skills, and much more: Now, therefore, be it

Resolved, That the Senate—

(1) designates the second week of March 2005 as “Extension Living Well Week”;

(2) encourages the people of the United States to take advantage of the educational opportunities that Extension Family and Consumer Sciences educators provide, education that can help them in raising kids, eating right, spending smart, and living well; and

(3) encourages the people of the United States to conduct appropriate ceremonies, activities, and programs to demonstrate support for Extension Family and Consumer Sciences educators as they teach adults and youth and promote optimum health and wellness of families in the United States through the “Living Well” campaign.

READ ACROSS AMERICA DAY

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to consideration of S. Res. 68, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 68) designating March 2, 2005, as “Read Across America Day”.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 68) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 68

Whereas reading is a basic requirement for quality education and professional success, and is a source of pleasure throughout life;

Whereas the people of the United States must be able to read if the United States is to remain competitive in the global economy;

Whereas Congress, through the No Child Left Behind Act of 2001 (Public Law 107-110)

and the Reading First, Early Reading First, and Improving Literacy Through School Libraries programs, has placed great emphasis on reading intervention and providing additional resources for reading assistance; and

Whereas more than 40 national associations concerned about reading and education have joined with the National Education Association to use March 2, the anniversary of the birth of Theodor Geisel, also known as Dr. Seuss, to celebrate reading: Now, therefore, be it

Resolved, That the Senate—

(1) designates March 2, 2005, as "Read Across America Day";

(2) honors Theodor Geisel, also known as Dr. Seuss, for his success in encouraging children to discover the joy of reading;

(3) encourages parents to read with their children for at least 30 minutes on Read Across America Day in honor of Dr. Seuss and in celebration of reading; and

(4) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

ORDERS FOR TUESDAY, MARCH 1, 2005

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:45 a.m. on Tuesday, March 1. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then proceed to a period for morning business for 1 hour, with the first 30 minutes under the control of the majority leader or his designee, and the second 30 minutes under the control of the Democratic leader or his designee, and that the Senate then resume consideration of S. 256, the Bankruptcy Reform Act. I further ask consent that at 12:30 p.m., the Senate recess until 2:15 p.m. for the weekly party luncheons.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. FRIST. Mr. President, tomorrow, the Senate will resume consideration of the bankruptcy bill. Today we were able to accommodate several opening statements on the bill, and I hope that we can make real progress in the amendment process tomorrow. We anticipate that amendments will be offered prior to the policy luncheon recess. However, as I mentioned earlier today, I do not anticipate a vote on any amendment until after the policy luncheons. Again, I encourage all Members who may have amendments to the bill to contact the cloakrooms.

The PRESIDING OFFICER. The minority leader.

Mr. REID. Mr. President, at approximately 11 o'clock tomorrow, when we finish morning business, Senator DURBIN will be here to offer the first amendment. We have had good opening

statements by the two managers of the bill. I do not know if Senator HATCH will be managing the bill or Senator SPECTER. It was good to see him here. A long statement by Senator LEAHY, the ranking member of the committee, was given today.

We are going to start offering amendments, and if people want to make statements, there will be time during this bill—there will be quorum calls and they will be able to do that. We are going to try to limit those as much as we can and move forward. Senator DURBIN's amendment will be one relative to bankruptcy.

Mr. FRIST. Mr. President, in terms of scheduling a vote—we will have more information on that tomorrow—again, it will be after the policy luncheon on the first amendment.

ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 4:37 p.m., adjourned until Tuesday, March 1, 2005, at 9:45 a.m.

NOMINATIONS

Executive nominations received by the Senate February 28, 2005:

DEPARTMENT OF THE TREASURY

JOHN C. DUGAN, OF MARYLAND, TO BE COMPTROLLER OF THE CURRENCY FOR A TERM OF FIVE YEARS, VICE JOHN D. HAWKE, JR., RESIGNED.

METROPOLITAN WASHINGTON AIRPORTS AUTHORITY

WILLIAM COBEY, OF NORTH CAROLINA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY FOR A TERM EXPIRING MAY 30, 2010, VICE JOHN PAUL HAMMER-SCHMIDT, TERM EXPIRED.

CONSUMER PRODUCT SAFETY COMMISSION

NANCY ANN NORD, OF THE DISTRICT OF COLUMBIA, TO BE A COMMISSIONER OF THE CONSUMER PRODUCT SAFETY COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING OCTOBER 26, 2005, VICE MARY SHEILA GALL, RESIGNED.

NANCY ANN NORD, OF THE DISTRICT OF COLUMBIA, TO BE A COMMISSIONER OF THE CONSUMER PRODUCT SAFETY COMMISSION FOR A TERM OF SEVEN YEARS FROM OCTOBER 27, 2005. (REAPPOINTMENT)

DEPARTMENT OF ENERGY

JEFFREY CLAY SELL, OF TEXAS, TO BE DEPUTY SECRETARY OF ENERGY, VICE KYLE E. MCSLARROW, RESIGNED.

OVERSEAS PRIVATE INVESTMENT CORPORATION

CHRISTOPHER J. HANLEY, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2006, VICE GEORGE J. KOURPIAS, TERM EXPIRED.

EXECUTIVE OFFICE OF THE PRESIDENT

LINDA MORRISON COMBS, OF NORTH CAROLINA, TO BE CONTROLLER, OFFICE OF FEDERAL FINANCIAL MANAGEMENT, OFFICE OF MANAGEMENT AND BUDGET, VICE LINDA M. SPRINGER.

IN THE COAST GUARD

FOLLOWING NAMED OFFICER TO SERVE AS THE DIRECTOR OF THE COAST GUARD RESERVE PURSUANT TO TITLE 14, U.S.C. SECTION 53 IN THE GRADE INDICATED:

To be rear admiral

SALLY BRICE-O'HARA, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271:

To be rear admiral

REAR ADM. (LH) LARRY L. HERETH, 0000
REAR ADM. (LH) ROBERT J. PAPP, 0000
REAR ADM. (LH) CLIFFORD I. PEARSON, 0000
REAR ADM. (LH) JAMES C. VAN SLICE, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. WILLIAM R. LOONEY III, 0000

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. BENJAMIN J. SPRAGGINS, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. DONNA L. DACIER, 0000

To be brigadier general

COL. CHARLES K. EBNER,

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. JAMES O. BARCLAY III, 0000
COL. ARTHUR M. BARTELL, 0000
COL. DONALD M. CAMPBELL, JR., 0000
COL. DENNIS E. ROGERS, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. ANDREW B. DAVIS, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. MARK W. BIRCHER, 0000
COL. JOHN M. CROLEY, 0000
COL. DARRELL L. MOORE, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. DONALD R. GINTZIG, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVAL RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. RAYMOND P. ENGLISH, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. RICHARD R. JEFFRIES, 0000
CAPT. DAVID J. SMITH, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. MARK F. HEINRICH, 0000
CAPT. CHARLES M. LILLI, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED STUDENTS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 531 AND 2114.

To be captain

ERIK L. ABRAMES, 0000
ANGELA M. ALBRECHT, 0000
MICHAEL A. AROCHO, 0000
MICAH J. BAHR, 0000
CHRISTOPHER W. BATES, 0000
DAVID K. BIGELOW, 0000